

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

LAURENCE F. PULGRAM (CSB NO. 115163)
lpulgram@fenwick.com
ALBERT L. SIEBER (CSB NO. 233482)
asieber@fenwick.com
LIWEN A. MAH (CSB NO. 239033)
lmah@fenwick.com
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350

PATRICK E. PREMO (CSB NO. 184915)
ppremo@fenwick.com
DENNIS M. FAIGAL (CSB NO. 252829)
dfaigal@fenwick.com
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

Attorneys for Plaintiff SUCCESSFACTORS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SUCCESSFACTORS, INC., a Delaware corporation,

Plaintiff,

v.

SOFTSCAPE, INC., a Delaware corporation, and DOES 1-10, inclusive,

Defendants.

Case No. CV 08 1376 CW

DECLARATION OF JORGE ANDRES CORRALES IN SUPPORT OF PRELIMINARY INJUNCTION AND EXPEDITED DISCOVERY

Date: March 27, 2008
Time: 2:00 p.m.
Courtroom: 2
Judge: Hon. Claudia Wilken

Date of Filing: March 11, 2008
Trial Date: No date set

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1 I, Jorge Andres Corrales, declare as follows:

2 1. I am Regional Sales Manager, Latin America and Caribbean for SuccessFactors,
3 Inc. I have been employed with the company since October 2, 2006. I make this declaration of
4 my own personal knowledge, except to any extent otherwise specified. If called as a witness, I
5 could and would testify competently to the facts set forth herein.

6 2. On February 19, and 21, 2008, I conducted via Citrix web-based demonstrations
7 for what was reported to be a prospective customer, Ms. Ely Valls, who claimed to be the owner
8 of a 50-person company called, New Millenium Shoe in San Juan, Puerto Rico. Attached as
9 Exhibit 1 is a true and correct copy of the printout from her company's website at
10 www.newmilleniumshoe.com.

11 3. I am informed and believe that on or about January 30, 2008, SuccessFactors
12 received a voicemail message from someone claiming to be Ms. Valls calling our 1-800 number.
13 Tony Randolph, who is one of our lead generators at SuccessFactors, returned the call and
14 scheduled a demonstration. Once he realized she was not in his sales territory, I understand he
15 reassigned to Carla Muccino, our lead generator for the Caribbean and Latin America.

16 4. Ms. Muccino set up the first meeting for me on February 19, 2008. She said
17 Ms. Valls informed her that New Millenium Shoe was evaluating several software vendors and
18 wanted to make a decision within two days. She needed a demo and presentation set up as soon
19 as possible.

20 5. I have reviewed the Citrix records and confirmed that the meeting times with New
21 Millenium Shoe were February 19, and 21, 2008. Attached as Exhibit 2 is a true and correct copy
22 of printout showing (a) the Meeting History for my Citrix account; (b) the screenshot of attendees
23 at the February 19, 2008 meeting; and (c) the screenshot of the attendees at the February 21, 2008
24 meeting. It shows the first meeting started at approximately 11 am and ended at 12 pm EST. The
25 second meeting started at approximately 5 pm EST.

26 6. I delivered the February 19 presentation and demo to New Millenium Shoe in
27 Spanish. I used ACE275, which is the sales demo account assigned to me. ACE275 is usually in

28 ///

1 Spanish. I reserve this demo instance for my Spanish-speaking prospects. I am assigned a second
2 demo account that I usually use for English-speaking accounts.

3 7. At the end of the meeting, Ms. Valls said she loved the product and wanted a
4 proposal that very same day because she was making a decision within two days. When I asked
5 what other vendors she was evaluating, she said she preferred not to mention them.

6 8. Later that day, I sent her an email with my SuccessFactors' proposal. Attached as
7 Exhibit 3 is a true and correct copy of my email and confidential proposal. Most of the proposal
8 is written in Spanish. There is a flow chart on page 15 of the proposal, which is identical to the
9 flow chart that is featured on slide 24 of the Softscape Presentation. There is a second flow chart
10 on page 16 of the proposal to New Millenium Shoe, which is identical to slide 25 of the Softscape
11 Presentation.

12 9. I have reviewed IP records information provided by Citrix, which shows that the
13 IP address associated with ely@newmilleniumshoe.com for the February 19, 2008 meeting is
14 **IP 98.216.168.122**. I now understand this IP address is associated with a Comcast Cable account
15 in Massachusetts, not Puerto Rico.

16 10. After our first meeting, Ms. Valls asked me for a trial instance with administrator
17 access. I told her this was not possible. I said we could give her a demo and show her at a high
18 level how our administration tools work. She accepted the invitation. I set up a second meeting for
19 February 21, 2008. I asked Jose Lopez, Senior Solutions consultant, to support me on this demo
20 since she was going to invite one of her consultants, Javier Cruz, to participate. Mr. Lopez
21 performed the demo from his home office in Rocklin, California. As with the first meeting, I was
22 in Miramar, Florida. I was told Mr. Cruz was in New York City and Ms. Valls was in Puerto Rico.

23 11. Ms. Valls asked that the demo be in English because Mr. Cruz did not speak
24 Spanish. I switched ACE275 from Spanish to English for this second demo.

25 12. Mr. Cruz seemed to have a deep understanding of our software products and asked
26 a lot of questions from an administrator's standpoint. Once the presentation ended, I asked again
27 about our competitors. Mr. Cruz said they were evaluating different vendors, including Taleo and
28 Halogen, among others. He did not mention Softscape.

1 about our competitors. Mr. Cruz said they were evaluating different vendors, including Taleo and
2 Halogen, among others. He did not mention Softscape.

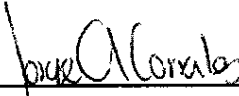
3 13. For the second demo, my Citrix records only show Mr. Lopez, Ms. Muccino,
4 myself and Ms. Valls logging in. Since I know Mr. Cruz participated in the February 21 demo,
5 he must have logged in with Ms. Valls. I have reviewed the IP records delivered by Citrix, which
6 show that the IP address associated with ely@newmilleniumshoe.com for the February 21, 2008
7 demo is IP 68.236.68.19. I now understand this is Softscape's IP address for its headquarters in
8 Massachusetts.

9 14. I, at no time, gave permission or provided my password to Ms. Valls or Mr. Cruz
10 to access ACE275. I do not know how they or anyone at Softscape could have accessed my demo
11 account.

12 15. Attached as Exhibit 4 is a true and correct copy of a website notification report for
13 Ely Valls at www.newmilleniumshoe.com. It shows she visited our website 13 times with her
14 last visit on March 5, 2008. It also lists a Puerto Rico phone number, which I understand is not in
15 service.

16 16. I followed up by email with Ms. Valls (ely@newmilleniumshoe.com) on March 4
17 and 6, 2008, but never heard from her or Mr. Cruz after the February 21 demo.

18 I declare under penalty of perjury under the laws of the United States of America and the
19 State of California that the foregoing is true and correct, and that this declaration was executed
20 this 21st day of March, 2008, in Cali, Colombia.

21
22 
23 _____
24 Jorge Andres Corrales

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EXHIBIT 2 TO DECLARATION OF JORGE ANDRES CORRALES



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Displayed below is a history of your meetings during the past year.

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Show History For:

Subject	Date/Time	Duration	Attendees
Plan SCBT-SF	Feb 27, 2008 12:54 PM	90 min	<u>6</u>
Evertec Marketing Plan	Feb 27, 2008 10:53 AM	4 min	<u>1</u>
SuccessFactors - Presentacion Tecnica	Feb 27, 2008 7:58 AM	158 min	<u>2</u>
SuccessFactors Demo	Feb 26, 2008 1:54 PM	70 min	<u>4</u>
Evertec Marketing Plan	Feb 22, 2008 11:01 AM	46 min	<u>2</u>
Demo SuccessFactors	Feb 21, 2008 4:58 PM	88 min	<u>4</u>
Meet Now	Feb 19, 2008 10:53 AM	62 min	<u>3</u>
Presentacion SuccessFactors	Feb 15, 2008 10:23 AM	76 min	<u>2</u>
University of West Indies - PM-TGM-360-Comp Enterprise.	Feb 15, 2008 8:16 AM	95 min	<u>3</u>
Hablemos de los Planes	Feb 14, 2008 2:56 PM	161 min	<u>2</u>

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Attendees of Meet Now

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Meeting Attendees



Name	Email	Join/Leave Times
Jorge Andres Corrales	jcorrales@successfactors.com	10:54 AM - 11:55 AM
ely	ely@newmilleniumshoe.com	10:59 AM - 11:55 AM
carla	cmuccino@successfactors.com	11:00 AM - 11:48 AM

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Attendees of Demo SuccessFactors

Displayed below are all the attendees for your selected meeting.



Meeting Attendees

Name	Email	Join/Leave Times
Jorge Andres Corrales	jcorrales@successfactors.com	4:58 PM - 6:26 PM
Carla Muccino	cmuccino@successfactors.com	4:58 PM - 6:26 PM
Jose Lopez	jlopez@successfactors.com	5:00 PM - 6:26 PM
ely	ely@newmilleniumshoe.com	5:00 PM - 6:26 PM

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Questions?

Contact Customer Care
at (800) 263-6317.

To make changes, you must enter
your current password.

Account Status: Active

Plan: Corporate 450 Org. Annual
Plan

Current Password:

First Name:

Jorge Andres

Last Name:

Corrales

Email Address:

jcorrales@successfactors.com

IMPORTANT:

Your new password must contain
at least 8 characters and include
both letters and numbers.

New Password:

Re-Type New Password:

Time Zone:

(GMT-05:00) Eastern Time (US and Canada)



Automatically observe Daylight Saving Time.
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1 LAURENCE F. PULGRAM (CSB NO. 115163)

lpulgram@fenwick.com

2 ALBERT L. SIEBER (CSB NO. 233482)

asieber@fenwick.com

3 LIWEN A. MAH (CSB NO. 239033)

lmah@fenwick.com

4 FENWICK & WEST LLP

555 California Street, 12th Floor

5 San Francisco, CA 94104

Telephone: (415) 875-2300

6 Facsimile: (415) 281-1350

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ppremo@fenwick.com

8 DENNIS M. FAIGAL (CSB NO. 252829)

dfaigal@fenwick.com

9 FENWICK & WEST LLP

Silicon Valley Center

10 801 California Street

Mountain View, CA 94041

11 Telephone: (650) 988-8500

Facsimile: (650) 938-5200

12 Attorneys for Plaintiff SUCCESSFACTORS, INC.

13
14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 OAKLAND DIVISION

17
18 SUCCESSFACTORS, INC., a Delaware
corporation,

19 Plaintiff,

20 v.

21 SOFTSCAPE, INC., a Delaware
corporation; and DOES 1-10, inclusive,

22 Defendants.
23
24

Case No. CV 08-1376 CW

MANUAL FILING NOTICE

Date: March 27, 2008

Time: 2:00 p.m.

Courtroom: 2

Judge: Hon. Claudia Wilken

Date of Filing: March 11, 2008

Trial Date: No date set

25 **RE: CONFIDENTIAL EXHIBIT 3 TO THE DECLARATION OF JORGE CORRALES IN**
26 **SUPPORT OF PRELIMINARY INJUNCTION AND EXPEDITED DISCOVERY**
27
28

1 This filing is in paper or physical form only, and is being maintained in the case file in the
2 Clerk's office.

3 If you are a participant on this case, this filing will be served in hard-copy shortly.

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5 web site at <http://www.cand.uscourts.gov> under Frequently Asked Questions (FAQ).

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12 _____ Conformance with the Judicial Conference Privacy Policy (General Order 53).

13 _____ Other (description): _____

14
15 Dated: March 21, 2008

FENWICK & WEST LLP

16
17 By: 
18 Patrick Premo
19 Attorneys for Plaintiff SUCCESSFACTORS, INC.
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ATTORNEYS AT LAW
MOUNTAIN VIEW

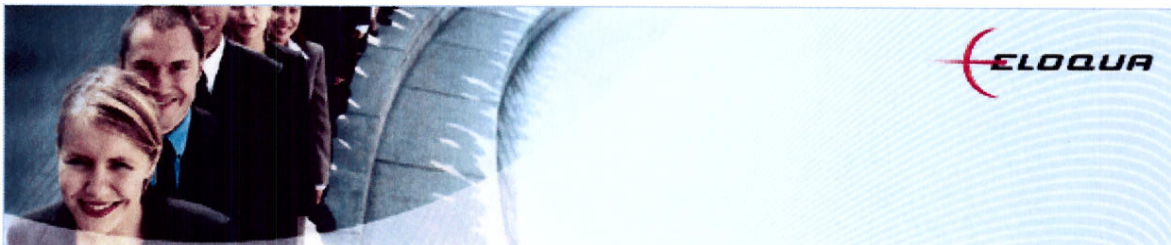
Patrick Premo

Subject: FW: Website Visit Notification

From: Carla Muccino
Sent: Thursday, March 06, 2008 10:18 AM
To: Jorge A. Corrales
Subject: FW: Website Visit Notification

FYI

From: Eloqua Notifications [mailto:eloquanotifications@eloqua.com]
Sent: Thursday, March 06, 2008 7:15 AM
To: Carla Muccino
Subject: Website Visit Notification



Eloqua Notification System Name: Website Visit Notification

Your personal notification of activity on your website. Target prospects, identify visitors, and develop sales relationships with your online visitors. (Please note that if you are unable to see the reports here, your email client may not support the latest HTML features. Log on to Eloqua to configure your notifications to send text emails)

A visitor is online who meets your criteria:

Profile Field	Value
First Name	Ely
Last Name	Valls
Email Address	ely@newmilleniumshoe.com
Company	New Millenium Shoe
Phone Number	+1 787 4934997
City (from IP)	Chicago

Total Visits	13
Total Pages	19
Last Visit	3/5/2008 8:00:26 AM
Salesperson	Carla Muccino
Employee Size by Range	
Additional Information	
Full Visitor Overview	Click here
System Time	10:14:11

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